

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB 290 (Sub-No. 331X)

NORFOLK SOUTHERN RAILWAY COMPANY—ABANDONMENT EXEMPTION—IN
HENRY AND SPALDING COUNTIES, GA.

Decided: January 31, 2012

Norfolk Southern Railway Company (NSR), filed a notice of exemption under 49 C.F.R. pt. 1152 subpart F—Exempt Abandonments to abandon approximately 4.92 miles of rail line between milepost 4.80 M (south of Meredith Park Drive near the line's crossing of Indian Creek in McDonough) and milepost 9.72 M (east of Trestle Road in Locust Grove), in Henry and Spalding Counties, Ga. Notice of the exemption was served and published in the Federal Register on January 6, 2012 (77 Fed. Reg. 836). The exemption is scheduled to become effective on February 7, 2012.

The Board's Office of Environmental Analysis (OEA) issued an environmental assessment (EA) in this proceeding which was served on January 13, 2012. In the EA, OEA states that, in an e-mail dated November 18, 2011, the U.S. Department of Commerce, National Geodetic Survey (NGS) stated there are approximately 7 geodetic survey markers located in the area of the proposed abandonment. OEA recommends that a condition be imposed requiring NSR to consult with NGS prior to commencement of any salvage activities to allow for the relocation of any affected survey markers.

OEA states that by letter dated November 29, 2011, the Georgia Department of Natural Resources, Historic Preservation Division (SHPO), stated that the proposed abandonment would have no adverse effect on historic resources provided that the trestle bridge, which is a contributing resource to NSR, not be removed. By letter dated December 20, 2011, NSR responded to the SHPO's letter and clarified its intent to remove the bridge as part of the proposed abandonment. OEA therefore recommends that a condition be imposed requiring NSR to retain its interest in and take no steps to alter the historic integrity of the bridge, which may be eligible for listing or listed in the National Register of Historic Places, until completion of the Section 106 process.

Comments to the EA were due January 30, 2012. No comments were received. Accordingly, the conditions recommended by OEA in the EA will be imposed.

As conditioned, this action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding is reopened.
2. Upon reconsideration, the notice served and published in the Federal Register on January 6, 2012, exempting the abandonment of the line described above, is subject to the conditions that NSR shall: (1) consult with NGS at least 90 days prior to commencing salvage activities that will disturb or destroy any geodetic survey markers; and (2) retain its interest in and take no steps to alter the historic integrity of the trestle bridge located at milepost 4.90 M, which may be eligible for listing or listed in the National Register of Historic Places, until the Section 106 process of the National Historic Preservation Act, 16 U.S.C. § 470f has been completed. NSR shall report to OEA regarding any consultations with the SHPO and the public. NSR may not file its consummation notice or initiate any salvage activities related to the bridge (including the removal of tracks and ties from the bridge), until the Section 106 process has been completed and the Board has removed the condition.
3. This decision is effective on its service date.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.